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David J. Sheehan

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Hearing Date: July 26, 2017

Time: 10:00 a.m.

Objection Deadline: July 19, 2017

Time: 4:00 p.m.

*Attorneys for Irving H. Picard, Trustee for the
substantively consolidated SIPA Liquidation of
Bernard L. Madoff Investment Securities LLC and the
consolidated Chapter 7 Estate of Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation of
Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

THE ESTATE OF MARK D. MADOFF and
ANDREW H. MADOFF, individually and as Executor
of the Estate of Mark D. Madoff,

Defendants.

Adv. Pro. No. 09-01503 (SMB)

IRVING H. PICARD, Trustee for the Liquidation of
Bernard L. Madoff Investment Securities LLC,

Adv. Pro. No. 10-03483 (SMB)

Plaintiff,

v.

MADOFF TECHNOLOGIES LLC, MADOFF
BROKERAGE & TRADING TECHNOLOGY, LLC,
PRIMEX HOLDINGS, LLC, ESTATE OF MARK D.
MADOFF, and ANDREW MADOFF, individually
and in his capacity as Executor of the ESTATE OF
MARK D. MADOFF,

Defendants.

**NOTICE OF MOTION FOR ENTRY OF AN ORDER PURSUANT TO SECTION 105(a)
OF THE BANKRUPTCY CODE AND RULES 2002 AND 9019 OF THE FEDERAL
RULES OF BANKRUPTCY PROCEDURE APPROVING A STIPULATION BY AND
BETWEEN THE TRUSTEE, THE UNITED STATES GOVERNMENT, AND THE
SETTLING DEFENDANTS IN THE ABOVE-CAPTIONED PROCEEDINGS**

PLEASE TAKE NOTICE that Irving H. Picard (the “Trustee”), as trustee for the substantively consolidated SIPA Liquidation of Bernard L. Madoff Investment Securities LLC (“BLMIS”) and the consolidated Chapter 7 Estate of Bernard L. Madoff (“Madoff,” and together with BLMIS, collectively, the “Debtors”), by and through his undersigned counsel, will move before the Honorable Stuart M. Bernstein, United States Bankruptcy Judge, at the United States Bankruptcy Court, the Alexander Hamilton Customs House, One Bowling Green, Courtroom 723, New York, New York 10004, on **July 26, 2017 at 10:00 a.m.**, or as soon thereafter as counsel can be heard, for an order, pursuant to section 105(a) of the United States Bankruptcy Code, 11 U.S.C. §§ 101 *et seq.*, and Rules 2002 and 9019 of the Federal Rules of Bankruptcy Procedure, approving a Stipulation and Order of Settlement (“Stipulation”) by and between the Trustee, the United States government, and the Settling Defendants in the above-captioned proceedings.

PLEASE TAKE FURTHER NOTICE that responses or objections to the Motion, if any, must be in writing, shall conform to the Bankruptcy Rules and other applicable rules and

orders of this Court, and shall be filed in accordance with General Order M-399 and the electronic filing procedures for the United States Bankruptcy Court for the Southern District of New York (available at www.nysb.uscourts.gov), with a courtesy copy delivered to the Chambers of the Honorable Stuart M. Bernstein, and shall be served upon (a) Lauren J. Resnick, Esq., Baker & Hostetler LLP, 45 Rockefeller Plaza, New York, NY 10111; (b) Howard L. Simon, Esq., Windels Marx Lane & Mittendorf, LLP, 156 West 56th Street, New York, NY 10019; (c) Martin Flumenbaum, Esq., Paul, Weiss, Rifkind, Wharton & Garrison LLP, 1285 Avenue of the Americas, New York, NY 10019-6064; and (d) United States Attorney's Office, Southern District of New York, One Saint Andrew's Plaza, New York, New York 10007, Attention Joon H. Kim, Esq., so as to be received no later than **July 19, 2017 at 4:00 p.m.** Any objections must specifically state the interest that the objecting party has in these proceedings and the specific basis of any objection to the Motion.

PLEASE TAKE FURTHER NOTICE that if no responses or objections are timely filed and served with respect to the Motion, the Motion shall be deemed uncontested and an order granting the requested relief may be entered with no further notice or opportunity to be heard offered to any party.

Dated: June 26, 2017
New York, New York

BAKER & HOSTETLER LLP

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*Special Counsel for Irving H. Picard,
Trustee for the Substantively Consolidated
SIPA Liquidation of Bernard L. Madoff
Investment Securities LLC and the Estate
of Bernard L. Madoff with respect to the
Madoff Technologies LLC Adversary
Proceeding*